

**PLANNING COMMISSION MEETING  
WEDNESDAY, MAY 25, 2011  
TOWN HALL 7:00 P.M.**

Meeting Opened at 7:03 p.m. Adjourned at 8:10 p.m.

Present: Michael Orefice, John Souchuns, Liz Brayboy (seated for John Sullivan) and Paul Roche.

Town Attorney Michael Rybak also present at the request of the Commission.

Absent: John Sullivan, Sabrina Janco, Matthew O'Connell, Vincent Wheeler and LUC Polly Redmond

The minutes of the 5/11/11 meeting were approved without changes.

The Town Attorney Michael Rybak spoke to the commission regarding potential amendments to the subdivision regulations. He stated, and discussed with the commission, the following:

- Regarding the definition of a subdivision, it is controlled by Connecticut General Statute section 8-18. A free split is not a subdivision, and thus technically the commission has no jurisdiction regarding a free split. For practical purposes, the commission may advise that something is a free split and not a subdivision. Revising lot lines is also not a subdivision.
- In determining whether a subdivision is being proposed, the commission **must take into consideration any subdivisions of the property that have taken place since the subdivision regulations began in 1961.**
- Once a property is made more conforming to regulations, it cannot later be made less conforming.
- It was recommended that subdivision regulation 4.7.5 be amended. It was discussed that eliminating the 50% limit on rear lots would make the regulation better. If the regulation is amended, Zoning regulation section 9.6.8 will also need to be amended. **This potential amendment should be discussed at the next Planning Commission meeting.**
- Attorney Rybak discussed the "creeping cul-de-sac" problem, which involves the building of extensions to existing cul-de-sacs. He expressed that the minimum length requirement for a cul-de-sac is important.
- Regarding the proposed amendment of regulation 4.9.4.3, **the Town Highway Supervisor's input is needed.**
- Regarding the proposed amendment of regulation 4.9.1.2, the Commission should consider adding the following language: "No street shall connect to any street that is not a town maintained existing public highway." **This potential amendment should be discussed at the next Planning Commission meeting.**
- Attorney Rybak stated the following regarding ethics rules: 1) no commissioner should participate in any decision of the commission in which the commissioner has a personal or financial interest; and 2) a commissioner cannot represent someone before another town commission or board, but can represent himself or herself if they state to the other board or commission that they are speaking for himself or herself and not for the Planning Commission.

- Once a public hearing is closed, non-seated alternate members must remain silent and not participate. After a public hearing is closed, members of the public, including non-seated alternate members, may not participate in the decisional process.

The Chairman passed out the following to the commissioners:

- 1) a Planning Commission Punch list for use when signing Mylars;
- 2) a draft of proposed amendments to the subdivision regulations; and
- 3) the Spring 2011 edition of "The Habitat."

Minutes taken by Planning Commissioner Paul Roche